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**DIRECTOR'S OFFICE
TECHNOLOGY CENTER 2600**

Sadler, Breen, Morasch & Colby, ps
601 W. Main Ave.
Suite 1300
Spokane WA 99201

In re U.S. Patent of:
BRANSCOMB, HILL
Application No. 08/243,046
Filed: May 16, 1994
U.S. Patent No. 5,684,514
Issued: November 04, 1997

**NOTIFICATION OF PRIOR ART
CITATION UNDER 37 C.F.R. § 1.501**

A citation of prior art under 37 C.F.R. § 1.501 has been filed by a third party on February 28, 2011 in the above-identified application, entitled **"APPARATUS AND METHOD FOR ASSEMBLING CONTENT ADDRESSABLE VIDEO"**.

35 U.S.C. 301. Citation of prior art, states:

Any person at any time may cite to the Office in writing prior art consisting of patents or printed publications which that person believes to have a bearing on the patentability of any claim of a particular patent. If the person explains in writing the pertinency and manner of applying such prior art to at least one claim of the patent, the citation of such prior art and the explanation thereof will become a part of the official file of the patent. At the written request of the person citing the prior art, his or her identity will be excluded from the patent file and kept confidential.

37 C.F.R. § 1.501 Citation of prior art in patent files, states:

(a) At any time during the period of enforceability of a patent, any person may cite, to the Office in writing, prior art consisting of patents or printed publications which that person states to be pertinent and applicable to the patent and believes to have a bearing on the patentability of any claim of the patent. If the citation is made by the patent owner, the explanation of pertinency and applicability may include an explanation of how the claims differ from the prior art. Such citations shall be entered in the patent file except as set forth in §§ 1.502 and 1.902.

(b) If the person making the citation wishes his or her identity to be excluded from the patent file and kept confidential, the citation papers must be submitted without any identification of the person making the submission.

(c) Citation of patents or printed publications by the public in patent files should either:

- (1) Reflect that a copy of the same has been mailed to the patent owner at the address as provided for in § 1.33(c); or in the event service is not possible
- (2) Be filed with the Office in duplicate. [emphasis added]

MPEP §2206 [R-2] Handling of Prior Art Citation, states in part:

II. CITATION DOES NOT QUALIFY FOR ENTRY UNDER 37 CFR 1.501

A. Citation by Third Party

If the citation is not proper (i.e., it is not limited to patents or printed publications >or fails to include the requisite citation description<), it should not be entered in the patent file. The sender (if known) and the patent owner in all cases should be notified that the citation is improper and that it is not being entered in the patent file. The handling of the citation will vary depending on the particular following situation.

1. Service of Copy Included

Where the citation includes an indication of service of copy on the patent owner and the identity of the third party sender is known, the original citation paper should be returned to the third party sender along with the notification of nonentry. If the identity of the third party sender is not known, the original citation papers should be discarded.

Third Party's submission does not qualify for entry under 37 CFR 1.501 and will not be entered because it does not include an explanation of the pertinence of each of the references of the prior art on the patentability of any claims of the instant patent. An explanation was given for only one reference. For the rest of the references listed the submission merely stated "Below is a list of other references which affect one or more of the claims in the patent.". Accordingly, the entire submission is being returned to the third party in accordance with MPEP § 2206.

/Michael Horabik/

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